

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

RONALD D. AREHART,) DEPUTY/CL
Plaintiff,) Civil Action No. 7:09-cv-00291
v.) By: Hon. James C. Turk
WARDEN B. WATSON, et al.,) Senior United States District Judge
Defendants.) MEMORANDUM OPINION

By Order entered July 22, 2009, the Court ordered that a filing fee be assessed in the amount of \$350.00 and granted plaintiff twenty (20) days from the date of the Order to forward to the Court a statement of his assets and information regarding his trust account for the six (6) months preceding the filing of this action so that the Court could determine a payment schedule. Plaintiff was advised that failure to return the inmate account statement within twenty (20) days would result in dismissal of this action without prejudice. More than twenty (20) days has elapsed, and the plaintiff has failed to return the required financial documents to the Court. Accordingly, the Court dismisses the complaint without prejudice and strikes the case from the active docket of the Court. Plaintiff may refile his claims in a separate action once he signs and returns the necessary financial forms to allow the Court to begin the process of withholding the necessary filing fees.

The Clerk is directed to send a copy of this memorandum opinion and the accompanying order to plaintiff.

ENTER: This 20th day of August, 2009.

James L. Gray
Senior United States District Judge